

REMARKS

Claims 1 – 3, 11, 12, 23, 28, 83, and 84 are pending in the instant application. Claims 1-3, 11, 12, 23, 28, 83, and 84 have been rejected by the Examiner. Claim 1 has been amended and claim 83 has been cancelled. The Applicants submit that claims 1-3, 11, 12, 23, 28, and 84 are in condition for allowance and requests reconsideration and withdrawal of the outstanding rejections. No new matter has been entered.

Objections to the Specification

The disclosure is objected to due to informalities. The Applicants have amended the specification to include reference to a commonly assigned issued patent and submit that the amendment overcomes the objection.

Rejections Under 35 USC § 112

Claims 84, 23, and 28 are rejected under 35 U.S.C. § 112, second paragraph, as being allegedly indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Examiner states that the features recited in claim 84 contradict those recited in claim 1. In particular, claim 1 recites:

“(3,) each of the form features is associatively independent from each other of the form features” (lines 15-16).

Claim 84 recites:

“The method of Claim 1 further includes generating a link between at least two of the form features.”

The Examiner states that the two claims are contradictory because by “generating a link between at least two of the form features,” the requirement of claim 1 that “each of the form features is associatively independent from each other of the form features” is violated. The Examiner further states that according to claim 84, at least two of the form features are associatively dependent by virtue of the link created between them.

The Applicants respectfully traverse this rejection and point out that the form features recited in claim 1 are associatively independent at the time of the model creation (e.g., at a time 't1'). Claim 84 recites a linking feature which may be implemented at a different point in time, e.g., at 't2'. The linking process is an enhanced feature of the horizontal modeling process recited in claim 1. See, for example, Page 12, line 27 through page 13, line 11 of the Applicants' specification, which states "[A]nother feature of the horizontally structured modeling and modeling is disclosed which utilizes the horizontal CAD/CAM modeling methods described above. Specifically, the first embodiment is further enhanced to ultimately facilitate generating horizontally structured CAD/CAM models. In an exemplary embodiment, horizontally structured modeling methods disclosed above are employed to facilitate the generation of one or more models for creating the actual part.

To facilitate the method disclosed and model creation, a link and unlink functionality is disclosed which provides for automatic references and the modification of associative relationships among one or more CAD/CAM models and model elements. The link/unlink function allows a newly created or existing model or model elements to be replaced by another. Moreover, the features associated with a first model may be reassociated to another model with little if any impact to the associated features."

Thus, as recited in the claims and disclosed in the specification, there is no violation of the associative independence with respect to the form features as the linking process provides an additional, enhanced feature to the modeling steps recited in claim 1. The Applicants submit that claim 1 and claim 84 are sufficiently definite and conform to the requirements set forth in 35 U.S.C. 112, second paragraph. Claims 23 and 28 should be allowable at least for the reason that they depend from what should be allowable claims 1 and 84. Reconsideration and withdrawal of the outstanding rejections is respectfully requested.

Claim Rejections Under 35 USC § 101

Claims 1-3, 11, 12, 23, 28, 83 and 84 are rejected under 35 U.S.C. § 101 as allegedly directed to non-statutory subject matter.

The Examiner states that the claimed invention clearly does not “transform” an article or physical object to a different state or thing. Therefore, the claimed invention must produce a useful, concrete, and tangible result in order to qualify as statutory subject matter.

The Applicants have amended claim 1 to recite, *inter alia*, “displaying the model with a user-friendly graphical user interface, as suggested by the Examiner. The Applicants submit that claim 1 is fully compliant with 35 U.S.C. 101 and respectfully request reconsideration and withdrawal of the outstanding rejection. Claims 2, 3, 11, 12, 23, 28, and 84 are believed to be in condition for allowance at least for the reason that they depend from what should be an allowable base claim.

Rejections Under 35 USC § 102

Claim 83 is rejected under 35 U.S.C. § 102(b) as being allegedly anticipated by “Solid Edge™ User’s Guide Version 6” by Unigraphics Solutions™ Inc., © 1998 (Unigraphics). The Applicants have cancelled claim 83 rendering the rejection thereof moot. Claims 1-3, 11, 12, 23, 28, and 84 are not anticipated by Unigraphics. Unigraphics is entirely devoid of teaching each of the features recited in Applicants’ claims 1-3, 11, 12, 23, 28, and 84. In particular, Unigraphics does not teach or suggest “each of the form features is associatively independent from each other of the form features” as recited in claim 1. For at least this reason, the Applicants submit that claim 1 is in condition for allowance. Claims 2, 3, 11, 12, 23, 28, and 84 are believed to be allowable at least for the reason that they depend from an allowable base claim. Reconsideration and withdrawal of the outstanding rejections is respectfully requested.

Conclusion

It is believed that the foregoing remarks are fully responsive to the Office Action and that the claims herein should be allowable to the Applicant. In the event the Examiner has any queries regarding the instantly submitted response, the undersigned respectfully request the courtesy of a telephone conference to discuss any matters in need of attention.

If there are any additional charges with respect to this Amendment or otherwise, please charge them to Deposit Account No. 06-1130.

Respectfully Submitted,

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